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7 AU Optronics Corporation and
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 _____
14 IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Master File No. 3:07-md-1827 SI
MDL No. 1827

15 _____
16 This Document Relates To:
17 INDIRECT PURCHASER CLASS
18 ACTION

STIPULATION AND [PROPOSED]
RECOMMENDATION AND ORDER
REGARDING AUO PROPOSED
EXPERT WITNESSES

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20 Indirect Purchaser Class Plaintiffs (“Plaintiffs”) and Defendants AU Optronics
21 Corporation and AU Optronics Corporation America (collectively, “AUO”) hereby
22 stipulate as follows:

23 WHEREAS AUO intends to call certain expert witnesses to testify in its defense in
24 the action entitled *United States v. AU Optronics Corp., et al.*, Case No. CR-09-0110 (SI)
25 (hereafter “the Criminal Case”) and seeks to call those same expert witnesses (hereafter
26 “Proposed Expert Witnesses”), or some of them, to testify in the above-captioned action;

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1 WHEREAS the parties seek to make mutually agreeable and orderly arrangements
2 for disclosure of the Proposed Expert Witnesses and discovery regarding their proposed
3 testimony, such arrangements to be scheduled later than the deadlines set forth in the Order
4 re: Pretrial and Trial Schedule (Dkt. 2165);

5 NOW, THEREFORE, Plaintiffs and AUO, through their undersigned respective
6 counsel, stipulate and request that the Special Master recommend as follows:

7 1. Within five days after disclosing its Proposed Expert Witnesses in the
8 Criminal Case, AUO will provide Plaintiffs with the names of any of those Proposed Expert
9 Witnesses whom it intends to call to testify in the above-referenced action, as well as the
10 subjects of anticipated testimony, and any disclosures AUO has made in the Criminal Case
11 regarding those experts. AUO will serve Plaintiffs with any further disclosures made
12 regarding those experts in the Criminal Case.

13 2. At the time the Proposed Expert Witness testifies in the Criminal Case (or
14 within five days after the Court enters an order excluding the testimony), AUO will produce
15 the expert's Rule 26 civil disclosures to Plaintiffs in accordance with the Federal Rules and
16 this Court's prior orders governing expert disclosures. Expert depositions will be scheduled
17 in San Francisco within two weeks after the reports are produced.

18 3. Plaintiffs shall designate rebuttal experts, if any, and produce Rule 26
19 disclosures for such experts within six weeks after the report of each Proposed Expert
20 Witness is received, but in any event no later than 14 days before trial.

21 4. With regard to the disclosures, reports and depositions anticipated by
22 Paragraphs 2 and 3, the parties will meet and confer in an effort to expedite the process,
23 including consideration of whether certain reports or depositions can be eliminated. Both
24 parties will cooperate informally in providing information about the underlying data and
25 analyses used in the reports.

26 5. Unless explicitly stated, nothing in this Stipulation and Order is intended to
27 modify any other Order of the Court or the Special Master, including without limitation the

1 Order re: Pretrial and Trial Schedule filed Nov. 23, 2010 (Dkt. no. 2165 and 2165-1), nor
2 does this Order prevent any party from seeking further modifications to that or any other
3 Order.

4 Dated: August 26, 2011

5 NOSSAMAN LLP

6 By: /s/ Carl L. Blumenstein
Carl L. Blumenstein

7 Attorneys for Defendants AU Optronics Corporation and AU
8 Optronics Corporation America

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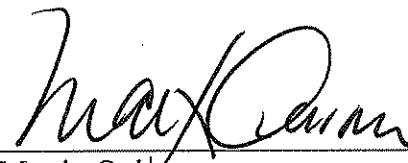
13 By: /s/ Joseph M. Alioto
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14 Co-Lead Counsel for Indirect Purchaser Plaintiffs
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20 By: /s/ Francis O. Scarpulla
Francis O. Scarpulla
21 Co-Lead Counsel for Indirect Purchaser Plaintiffs
22

23 **IT IS SO RECOMMENDED.**

24
25 Dated Entered: 9/2/11


Martin Quith
Special Master

1 IT IS SO ORDERED.

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3 Dated Entered: 9/7/11

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6 **ATTESTATION**

7 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
8 filing of this document has been obtained from Joseph M. Alioto and Francis O. Scarpulla.

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Susan Illston

The Honorable Susan Y. Illston
District Court Judge